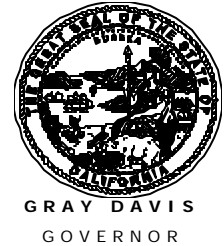




**STATE MINING & GEOLOGY BOARD**  
**DEPARTMENT OF CONSERVATION**  
**STATE OF CALIFORNIA**



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CHAIRMAN

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VICE CHAIRMAN

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## RESULTS

### THE STATE MINING AND GEOLOGY BOARD

Will hold a Regular Business Meeting on:

**September 12, 2002**

**10:00 A.M.**

(or immediately following the conclusion of the Surface Mining Standards Committee Meeting  
 that commences at 9:00 A.M.)

**Department of Consumer Affairs**  
**400 R Street, 1<sup>st</sup> Floor Hearing Room**  
**Sacramento, CA**

### AGENDA

(NOTE: Times are approximate. The Chairman may alter the hearing start time or agenda item order during the meeting)

**Call to Order (Jones)**  
**Roll Call and Declaration of a Quorum**

#### Consent

(Action)

1. Approval of [Minutes](#), July 11, 2002 Regular Business Meeting

[Minutes Approved as Submitted](#)

#### Reports

(Information)

#### Department of Conservation

❖ Director's Report (Young)

#### State Mining and Geology Board

❖ Chairman's Report (Jones)

❖ Executive Officer's Report (Parrish)

✓ Selection of Contractors to Perform Mine Inspections and  
 Environmental Reviews

❖ Geohazards Committee (Ramirez)

❖ Inter-Board Committee (Tepel)

❖ Mineral and Geologic Resources (Griego)

❖ Policy & Legislation (Jones)

❖ Surface Mining Standards (Baca)

❖ Board's Legal Counsel (Cunningham)

*Mission of the State Mining and Geology Board is to Represent the State's Interest in the  
 Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands;  
 Development of Geologic and Seismic Hazard Information; and to Provide a Forum  
 for Public Redress*

### **Continued Business**

2. Adoption of Board's Surface Mine Inspection Guidelines to Assist Department of Conservation and SMGB Staffs in Carrying Out the Requirements of PRC Section 2774 (b) of SMARA.

[staff report](#)

[Revisions Requested, Action Deferred to future Board Meeting](#)

3. Determination of Adequacy of Corrective Measures, and Acceptance of Revised Financial Assurance Cost Estimate, Garnet Pit, CA Mine ID # 91-33-0031, Granite Construction Company, Operator; City of Palm Springs

[staff report](#)

[Action Deferred to future Board Meeting](#)

### **New Business**

4. Hearing of an Order to Comply Issued July 11, 2002, to Diamond Quarry, CA Mine ID # 91-09-0003, Loring Brunius, Owner & Operator; El Dorado County, for Failure to Correct Mine Site Conditions Not in Compliance with the Approved Reclamation Plan

[staff report](#)

[Order to Comply Upheld](#)

5. Hearing of an Order to Cease and Desist All Surface Mining Operations Issued July 11, 2002, to Diamond Quarry, CA Mine ID # 91-09-0003, Loring Brunius, Owner & Operator, El Dorado County, for Failure to Provide a Financial Assurance in Sufficient Amount and Acceptable Instrument to Reclaim the Diamond Quarry in Accordance with the Requirements of the Quarry's Approved Reclamation Plan

[staff report](#)

[Order to Cease and Desist Upheld](#)

6. Issuance of Administrative Penalty to Eureka Slate Quarry, CA Mine ID # 91-09-0007, Rand Ferriera, Operator, El Dorado County, Pursuant to PRC Section 2774.1, for Failure to Provide a Reclamation Plan and Financial Assurance in Accordance with the Requirements of SMARA.

[staff report](#)

[Administrative Penalty Issued](#)

7. Issuance of an Order to Comply to Oat Hill Quarry, CA Mine ID # 91-28-0002, Napa-Vallejo Waste Management Authority, City of American Canyon, for Failure to Correct Mine Site Conditions Not in Compliance with the Approved Reclamation Plan, and for Failure to Provide a Financial Assurance Instrument in the Amount of \$253,380.

[staff report](#)

[Order to Comply Issued](#)

8. Acceptance of Financial Assurance Cost Estimate for Marin Quarry, CA Mine ID # 91-09-0015, Sierra Pacific Industries, El Dorado County.

staff report

Cost Estimate Modified and Accepted,  
Financial Assurance Required w/in 30 Days

9. Review of Status of Chile Bar Mine Reclamation Plan Preparation and Approval of an Interim Financial Assurance Amount, CA Mine ID # 91-09-0004, El Dorado County, as Recommended by the Surface Mining Standards Committee

staff report

Modifying Committee Recommendations, Board Approved \$150,000 Interim Financial Assurance Required and due w/in 30 Days

10. Approval of a Mitigated Negative Declaration for a Revised Reclamation Plan for Lawyer Pit, Archie's Trucking and Backhoe, Inc., CA Mine ID # 91-09-0012, El Dorado County, as Recommended by the Surface Mining Standards Committee.

staff report

Action Deferred until future Board meeting

11. Approval of a Revised Reclamation Plan and Financial Assurance Amount for Lawyer Pit, Archie's Trucking and Backhoe, Inc., CA Mine ID # 91-09-0012, El Dorado County, as Recommended by the Surface Mining Standards Committee.

staff report

Reclamation Plan Action Deferred, \$64,081 Financial Assurance approved and due w/in 30 days

12. Acceptance of Final Inspection Report for Linda Sand and Gravel, CA Mine ID # 91-58-0005, R. J. Wood, Operator, Yuba County

staff report

Final Inspection Report Accepted

13. Initial Review of the City of Irwindale's Performance as a Lead Agency Under SMARA

staff report

Further Review and Report Update to be Presented at Future Board meeting

14. Acceptance of Petition for Mineral Land Classification for the Handley Ranch Aggregate Resource Area, Granite Construction, Petitioner, as Recommended by the State Geologist.

staff report

Acceptance of Petition Application Withdrawn

15. **PUBLIC HEARING.** Pursuant to PRC Section 2696 (b) and CCR Section 3723 (a), a hearing will be conducted to receive public comments and recommendations for the Preliminary Seismic Hazard Maps Specific to the Areas Encompassed in the Fillmore, Ojai, Piru, Pitas Point, Saticoy, Oxnard (revised) Quadrangles in Ventura County; Val Verde Quadrangle in Los

Angeles and Ventura Counties; and, Santiago Peak Quadrangle  
in Orange County.

No comments received at hearing

### **Good of the Meeting**

(This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak on a particular item should do so at this time. Speakers are limited to three (3) minutes except by special consent of the Chairman)

Melissa Vargas & Ray Oliva voiced concerns about the Garden Valley Aggregate's recent Reclamation Plan approval

### **Executive Session (Closed to the Public)**

(The Board will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code Section 11126 and PRC Section 2778.) Items to be discussed are:

- a) Raney vs. SMGB, Case # SCVSS69392, San Bernardino Superior Court
- b) Calvert, et al vs. SMGB et al, Case # OOCSS01434, Sacramento Superior Court
- c) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County
- d) An un-named case where there is potentially significant exposure to litigation against the Board.

### **Reopen Regular Business Session, Announce Results of Executive Session**

Results announced, no actions were taken

### **Announcements and Adjournment**

## **\*\*A LUNCH BREAK WILL BE TAKEN AT NOON \*\***

**NOTE:** ITEMS TO BE CONSIDERED FOR PLACEMENT ON A BOARD MEETING AGENDA MUST BE SUBMITTED NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED MEETING.

**NOTE:** BOARD MEETINGS ARE OPEN TO THE PUBLIC AND ARE HELD IN BARRIER FREE FACILITIES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. FOR ADDITIONAL INFORMATION OR ASSISTANCE, CONTACT THE BOARD OFFICE.

**NOTE:** INFORMATION REGARDING STATE MINING AND GEOLOGY BOARD MEETINGS MAY BE OBTAINED BY CALLING THE BOARD OFFICE AT (916) 322-1082. COPIES OF STAFF REPORTS AND APPROVED MINUTES MAY BE OBTAINED BY WRITING THE BOARD OFFICE AT 801 'K' STREET, MS 24-05, SACRAMENTO, CALIFORNIA 95814 OR BY ACCESSING THE BOARD'S WEB SITE:  
<http://www.consrv.ca.gov/smgf>

**NOTE:** IF YOU WISH TO COMMENT ON AN AGENDA ITEM OR SPEAK DURING THE PUBLIC COMMENTS PERIOD, PLEASE FILL OUT A "REQUEST TO SPEAK" FORM, AVAILABLE AT THE MEETING ROOM ENTRANCE, AND GIVE IT TO THE BOARD SECRETARY. PLEASE DELIVER THE FORM PRIOR TO THE ITEM BEING HEARD BY THE BOARD. DURING THE PUBLIC COMMENT PERIOD, EACH SPEAKER IS LIMITED TO A MAXIMUM OF THREE MINUTES. AT THE DISCRETION OF THE CHAIRMAN, MORE TIME MAY BE GRANTED.

**NOTE:** INDIVIDUALS ARE ENCOURAGED TO SUBMIT WRITTEN STATEMENTS OF ANY LENGTH AND DETAIL TO THE BOARD. IT IS PREFERABLE THAT THESE STATEMENTS BE SUBMITTED AT LEAST FIFTEEN (15) DAYS PRIOR TO THE MEETING SO THAT THE BOARD MEMBERS CAN PREVIEW THE INFORMATION BEFORE THE MEETING. **PLEASE SUBMIT 25 COPIES OF ALL WRITTEN MATERIALS IN EXCESS OF TWO PAGES.** THE BOARD WILL NOT REPRODUCE REPORTS IN EXCESS OF TWO PAGES OR LARGE MAPS, PHOTOS, OR OTHER DOCUMENTS REQUIRING SPECIAL HANDLING.

**NOTE:** A CLOSED SESSION MAY BE CALLED BY THE CHAIRMAN TO DISCUSS LITIGATION AND OTHER PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS BY AUTHORITY OF GOVERNMENT CODE §11126(q) AND SACRAMENTO NEWSPAPER GUILD vs. SACRAMENTO COUNTY BOARD OF SUPERVISORS [1968] 266(b) CAL. APP. 2nd, 41; BASIS OF "LITIGATION" EXCEPTION IS THE ATTORNEY/CLIENT PRIVILEGE.

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September 12, 2002, Meeting Agenda  
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**NOTE** AS A STATE AGENCY, THE BOARD IS GOVERNED BY THE BAGLEY -KEENE OPEN MEETING ACT THAT REQUIRES THE BOARD TO (1) PUBLISH AN AGENDA AT LEAST TEN DAYS IN ADVANCE OF ANY MEETING; (2) DESCRIBE IN THE AGENDA SPECIFIC ITEMS TO BE TRANSACTED OR DISCUSSED; AND, (3) REFUSE TO ADD AN ITEM AFTER THE AGENDA IS PUBLISHED.